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10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 vs.

15 KIMBERLY ANN MILKO,

16 Defendant.

CASE NO: 2:16-cr-0032-JCM-EJY

**STIPULATION TO CONTINUE  
PRETRIAL DIVERSION HEARING**

(First Request)

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18 IT IS HEREBY STIPULATED AND AGREED, by and between ROBERT A. KNIEF,  
19 ESQ., Assistant United States Attorney, counsel for the UNITED STATES OF AMERICA;  
20 THOMAS A. ERICSSON, ESQ., counsel for defendant, KIMBERLY ANN MILKO, that the  
21 pretrial diversion hearing currently scheduled for February 19, 2020, at the hour of 10:00 a.m.,  
22 be vacated and continued until February 20, 2020, at 10:00 a.m.

23 This stipulation is entered into for the following reasons:

- 24 1. Counsel for Defendant Milko has a conflict in his schedule that necessitates  
25 rescheduling the hearing.
- 26 2. Defendant Kimberly Milko is currently out of custody, and she agrees with  
27 the continuance.
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1           3.     Counsel for Kimberly Milko has spoken to Assistant United States Attorney  
2                 Robert A. Knief, and he agrees with the continuance.

3           4.     The additional time requested herein is not sought for purposes of delay.

4           5.     Additionally, denial of this request for continuance could result in a miscarriage  
5                 of justice.

6 DATED: February 12, 2020.

7 /s/ Thomas A. Ericsson  
8 THOMAS A. ERICSSON, ESQ.  
9 Counsel for Kimberly Ann Milko

/s/ Robert A. Knief  
ROBERT A. KNIEF, ESQ.  
Assistant United States Attorney  
Counsel for USA

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KIMBERLY ANN MILKO,

Defendant.

CASE NO: 2:16-cr-0032-JCM-EJY

**FINDINGS OF FACT, CONCLUSIONS  
OF LAW, AND ORDER**

(First Request)

**FINDINGS OF FACT**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Counsel for Defendant Milko has a conflict in his schedule that necessitates rescheduling the hearing.
2. Defendant Kimberly Milko is currently out of custody, and she agrees with the continuance.
3. Counsel for Kimberly Milko has spoken to Assistant United States Attorney Robert A. Knief, and he agrees with the continuance.
4. The additional time requested herein is not sought for purposes of delay.
5. Additionally, denial of this request for continuance could result in a miscarriage of justice.

**CONCLUSION OF LAW**

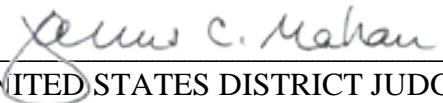
The ends of justice served by granting said continuance outweigh the best interests of the public, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the defendant sufficient time and the opportunity within which to be

1 able to effectively and thoroughly prepare for the pretrial diversion hearing, taking into account  
2 the exercise of due diligence.

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5 **ORDER**

6 IT IS ORDERED that the pretrial diversion hearing currently scheduled for February 19,  
7 2020, at the hour of 10:00 a.m. be vacated and continued to February 20, 2020, at the hour of  
8 10:00 a.m.

9 DATED February 13, 2020.

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14 UNITED STATES DISTRICT JUDGE  
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